



Total Maximum Daily Loads

The TMDL Program

The primary mission of the TMDL program is to protect public health and ensure healthy watersheds by assuring that waterbodies are meeting water quality standards.

Listing Impaired Waterbodies

States and Territories identify impaired waterbodies, those not meeting water quality standards. Lists of these waterbodies are provided to the public and EPA every two years. The lists are priority-ranked based upon severity of the pollution and the uses to be made of the waterbodies.

Developing TMDLs

States then develop TMDLs for waterbodies on the list. TMDLs specify the reductions needed to meet water quality standards and allocate those reductions among the sources in the watershed.

Review and Approval

EPA reviews and approves the lists and the TMDLs. If EPA disapproves, the Agency must act in lieu of the State.

Improving TMDLs:

Federal Advisory Committee Report

In 1996, EPA set up a Federal Advisory Committee, composed of members from a wide spectrum of interests ranging from the environmental and agricultural communities to state and local governments. The committee's objective was to recommend ways to improve the effectiveness and efficiency of State, Territorial, Tribal, and EPA TMDL programs. The committee's report was issued in July, 1998. It contains recommendations based on broad agreements reached by the members of the Federal Advisory Committee.

Key Federal Advisory Recommendations:

- ✓ Restoring impaired waters must be a high priority
- ✓ Implementing TMDLs is key to program success
- ✓ Communications with public is critical
- ✓ Stakeholder involvement is key to successful implementation
- ✓ Governments' capacity to do TMDLs must be strengthened
- ✓ An iterative approach to TMDL development and implementation is the best way to make progress in uncertain situations.

What is a TMDL?

A TMDL or Total Maximum Daily Load is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources.

Water quality standards are set by States, Territories, and Tribes. They identify the uses for each waterbody, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use.

A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The calculation must include a margin of safety to ensure that the waterbody can be used for the purposes the State has designated.

The Clean Water Act, section 303, establishes the water quality standards and TMDL programs.

Why TMDLs are Important-

- Critical for achieving water quality standards
- Analytic underpinning for watershed decisions
- Promote integrated solutions -- for example, for drinking water source, wetlands, and endangered species protection
- Opportunity for innovations -- trading
- Lists track all impaired waters

Proposed Revisions to TMDL and Other Regulations

EPA is taking steps to improve the TMDL program by revising the TMDL program regulations. Section 303(d) of the Clean Water Act authorizes the TMDL program; the current regulations can be found at 40 CFR 130.7. The recommendations of the Federal Advisory Committee are guiding the development of proposed changes.

EPA is also revising the National Permit Discharge Elimination System (NPDES permits) and Water Quality Standards regulations. These changes will help achieve reasonable further progress in attaining water quality standards.

The proposed regulatory changes are scheduled for publication in the *Federal Register* in mid-1999. After public review and comment, final regulations will be published sometime in 2000.

Proposed Regulations: Some Issues under Consideration

- What types of data and information are needed to identify waters for listing?
- Should waters be listed based on "pollutants" or "pollution"?
 - S "pollutants" are residue, chemical wastes, materials, etc.
 - S "pollution" is human-induced alteration of the water's integrity
- What should be the basis for setting priorities for TMDL development?
- What should be the timeframe for completing TMDLs?
- Should an implementation plan be required? How?
- Should EPA's authority to issue NPDES permits to key sources in support of TMDLs be expanded?
- What additional requirements, if any, should be placed on new or expanding dischargers in impaired waterbodies without TMDLs?
- What actions should EPA take to ensure expeditious State permit issuance to key sources before and after a TMDL is established?

**For More Information see EPA's
TMDL homepage–
<http://www.epa.gov/owow/tmdl>**

1998 State Lists and TMDLs

- ▶ All State and Territorial Lists received
- ▶ Approximately 21,000 waterbodies listed
- ▶ Approximately 40,000 TMDLs needed

Achieving Healthy Watersheds and Water Quality Standards

- ▶ TMDLs set the stage for on-the-ground actions to reduce pollutant loadings
- ▶ Implementation tools are many–
 - NPDES permits for point sources
 - State nonpoint source management programs
 - Other federal laws and requirements
 - State and local laws and ordinances
 - Local or regional watershed management programs.

